

**From:** David Brazier Cabinet Member for Highways and Transportation  
Haroon Chughtai Director of Highways and Transportation

**To:** Environment & Transport Cabinet Committee Meeting – 5th July 2023

**Subject:** Feasibility of temporary road closure actions – Update Report

**Key decision:** No

**Classification:** Unrestricted

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** N/A

**Electoral Division:** All Districts.

**Summary:** This report updates Members on the feasibility of options put forward by the Chairman at the committee meeting on 23 May 2023 to address concerns with the disruption and number of closures across the County.

**Recommendation:**

The Cabinet Committee is asked to note the details of this report and actions being taken, regarding Temporary Road Closures across the county.

## 1. Introduction

- 1.1 A report detailing the Temporary Road Closure Application process and the statutory and associated regulatory process was presented to Environment and Transport Cabinet Committee on 23<sup>rd</sup> May 2023.
- 1.2 The recommended action at the last committee was to investigate the feasibility of options put forward by the Chairman, in response to the presented report. These included:
  - a) Roads should only be closed when workers are present unless works go all the way across the carriageway.
  - b) Whenever possible roads should be reopened when workers are not present, such as weekends and after hours.
  - c) Every road closure permit issued should have a condition of late evening work and weekend work, to shorten the period of disruption.
  - d) The works on a site should be staged so work which does not need a closure is done before moving to the one metre safety rule needing closure on the opposite carriageway.

- e) There must be better coordination between the main contractors whose schedules should rearrange so that when one works behind road closed signs, as many others as possible do their work at the same time.
- f) Discover ways to get round the one metre rule, for instance with ramps on pavements or verges, allowing traffic to move partly over them.
- g) There should be more unannounced inspections of diversions with penalties for inadequate signage and routing.

## **2. Update on feasibility of options put forward**

- 2.1 ***Option (a) Roads should only be closed when workers are present unless works go all the way across the carriageway.***
- 2.2 Roads are only closed when there is insufficient road width to ensure the safety of workers and the public. The workers may not always be present for many reasons but the road may need to remain closed due to the excavation and insufficient width to pass safely. Road closures are generally considered a last resort, where it is not possible to maintain legislative road widths and safety zones. Before a road closure is considered, we would expect a competent contractor to explore other forms of traffic management before requesting a closure (such as traffic lights). We must also consider hidden dangers that may not be obvious at first, such as a water leak with underground washout. Whilst from the road the surface may look fine, it maybe masking a greater problem. Each road closure and the timing of closures will have to be taken on their own merits and set of circumstances. Our Streetworks teams to continue monitor this to driver performance on the network.
- 2.3 ***Option (b) Whenever possible roads should be reopened when workers are not present, such as weekends and after hours.***
- 2.3 **Agreed**, where possible we encourage the road to be opened, if by doing so this does not put the public at risk. For example, if we were undertaking patching works during the evening then the road should be reopened during the daytime, as has recently happened in Benenden. This helps reduce unnecessarily prolonged closures and disruption to local communities. If, however, there are open longitudinal trenches, then this reopening the road may not be possible and the road would need to remain closed, even though no one is on site.
- 2.4 ***Option (c) Every road closure permit issued should have a condition of late evening work and weekend work, to shorten the period of disruption.***
- 2.5 Whilst this is a good idea in principle, we can only request this if is reasonable to do so. We do not have the jurisdiction to insist on this on every site. In addition, consideration must be given to those residents who may front the carriageway, as we often receive complaints with regards to noise levels, especially in the evenings, when people are trying to sleep. It is a fine balance to ensure maximum productivity, against disruption caused. There may also be times when the site cannot be worked on for reasons such as concrete

curing, or with the higher road surface temperatures delaying the opening of roads.

- 2.6 ***Option (d) The works on a site should be staged so work which does not need a closure is done before moving to the one metre safety rule needing closure on the opposite carriageway.***
- 2.7 Agreed, where possible it would be sensible to undertake works that can be done without the need for a road closure first, to reduce the overall closure period. However, it may be more prudent at times, if the works require both a closure and traffic lights, to close a road entirely for a limited time to reduce overall congestion, as the works maybe able to be undertaken more quickly by utilising a closure, and therefore reducing overall congestion on the network. Once again, each site needs to be considered on its own merit and set of circumstances.
- 2.8 ***Option (e) There must be better coordination between the main contractors whose schedules should be rearranged so that when one works behind road closed signs, as many others as possible do their work at the same time.***
- 2.9 Wherever possible Kent County Council encourages collaborative working. This coordinated approach in practice can be difficult to achieve, but where possible, we look for teams to work together to minimise disruption. This is especially important for longer duration closures, as there is a greater opportunity to accommodate additional work. It would be almost impossible for emergency closures due to the lack of advance warning and the relatively short duration of the closure. As an example, Leeds village closure by South-East water will also be utilised by Southern Gas Networks along with KCC Highways, for essential maintenance. This will help reduce further disruption to our local communities and the travelling public.
- 2.10 ***Option (f) Discover ways to get round the one metre rule, for instance with ramps on pavements or verges, allowing traffic to move partly over them.***
- 2.11 Unfortunately, there is no getting round legislation and health and safety requirements, as set out in the New Roads and Streetworks Act and the Signing Lighting and Guarding Code of Practice. These are mandatory for all including Highway Authorities who undertake work on the highway. Our footways and verges are not designed and constructed for carriageway use with substantially thinner layers of asphalt. Utility apparatus will also be at a shallower depth and susceptible to damage. Any such attempt to circumnavigate legislation, which is in place for good reason, could leave the authority exposed to claims, prosecution, and increased damage to our highway assets.
- 2.12 ***Option (g) There should be more unannounced inspections of diversions with penalties for inadequate signage and routing.***
- 2.13 Following on from the road closure inspection trial, it is **agreed** this is an area where we can really make a difference to the current set up. We have already

implemented a designated Road Closure Inspector as a trial to focus on Road Closure compliance, routing, breaches of permits along with giving advice and support to future closure applications. This has proved successful. It is therefore our intention to implement this type of role permanently across the Street Works teams and work is ongoing to identify resource requirements and budget to support. This increase in resources will give us the ability to routinely check and ensure closures are managed in accordance with the permit requirements, to drive compliance, and help reduce unnecessary delays throughout the county.

- 2.14 Where issues are identified, KCC will hold performance meetings to monitor and, where necessary, drive improvement plans with work promoters on their performance to reduce the levels of non-compliance. In addition, works promoters may be subject to financial penalties for non-compliance.
- 2.15 It is hoped that this will improve the experience for Kent residents and businesses by ensuring, clear signage, quickly deployed and removed with simple and easily followed diversion routes.

### **3. Financial Implications**

- 3.1 The introduction of additional resources for the dedicated Road Closure Inspectors is being evaluated and once established the necessary budget virements will be implemented. Exact costs at the time of this report are not yet known.

### **4. Legal implications**

- 4.1 Temporary road closures require a legal notice to be published and this is done in accordance with the Road Traffic Regulation Act 1984 and The Road Traffic (Temporary Restrictions) Procedure Regulations 1992.
- 4.2 Statutory guidance on safety is published in the Safety at Street Works and Road Works Code of practice

### **5. Equalities implications**

- 5.1 Not applicable as this report is for information and has no effect on policy or service standards.

### **6. Background Documents**

- 6.1 Link to KCC web site for a Road Closure Application [Apply to close a road - Kent County Council](#)

### **7. Recommendation:**

The Cabinet Committee is asked to note the details of this report and actions being taken, regarding Temporary Road Closures across the county.

### **8. Contact details**

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